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 ZNY SSSSS ZOC STATE ZZH  
 STU2073  
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 DE RUEHDM #0039/01 0041446  
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 U 041435Z JAN 82  
 FM AMEMBASSY DAMASCUS  
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 4634  
 INFO RUEHAM/AMEMBASSY AMMAN IMMEDIATE 7152  
 RUQMBE/AMEMBASSY BEIRUT IMMEDIATE 9716  
 RUEHEG/AMEMBASSY CAIRO IMMEDIATE 5921  
 RUEHJM/AMCONSUL JERUSALEM IMMEDIATE 3250  
 RUEHJI/AMEMBASSY JIDDA IMMEDIATE 4133  
 RUEHLD/AMEMBASSY LONDON IMMEDIATE 2502  
 RUEHMO/AMEMBASSY MOSCOW IMMEDIATE 1434  
 RUFHFR/AMEMBASSY PARIS IMMEDIATE 1611  
 RUQMYA/USLO RIYADH IMMEDIATE 0550  
 RUEHTV/AMEMBASSY TEL AVIV IMMEDIATE 5587  
 RUDKKR/AMEMBASSY TUNIS IMMEDIATE 0959  
 RUEHDT/USMISSION USUN NEW YORK IMMEDIATE 2183  
 BT  
 S E C R E T DAMASCUS 00039 COMBINED SECTION  
 EXDIS

E.O. 12065: RDS-1,2 1/4/02 (PAGANELLI, ROBERT P.) OR-M  
 TAGS: PEPR, MOPS, IS, SY, UNSC  
 SUBJ: UNSC SESSION ON GOLAN: SUGGESTED REVISED U.S.  
 - STRATEGY

REF: (A) STATE 342489, (B) DAMASCUS 8217

1. (S - ENTIRE TEXT)

2. SUMMARY. THE U.S. STRATEGY FOR THE JANUARY 5

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State Dept. review completed

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SECURITY COUNCIL MEETING APPEARS TO BE HEADED FOR A NO WINNERS-ALL LOSERS OUTCOME THAT COULD DAMAGE BOTH PROSPECTS FOR THE PEACE PROCESS AND OUR POSITION IN THE REGION. WE SUGGEST A REVISED STRATEGY THAT CENTERS ON THE GOLAN LAW, WHICH, AFTER ALL, CAUSED ALL THIS RUCKUS. OUR PROPOSAL WOULD TIE RESCINDING OF THE GOLAN LAW TO RESTORATION OF THE MOU; A STRONG BUT SANCTIONLESS SECURITY COUNCIL RESOLUTION; AND AN AGREEMENT IN PRINCIPLE FOR ISRAELI-SYRIAN NEGOTIATIONS WITHIN THE FRAMEWORK OF 242 AND 338 IF THE GOLAN LAW IS RESCINDED. WE BELIEVE OUR SUGGESTION HAS THE MERIT OF BALANCE--REQUIRING POSITIVE ACTS FROM BOTH PARTIES--AND PUTS THE UNITED STATES UNEQUIVOCALLY IN THE POSITION OF SUPPORTING OUR TRADITIONAL POLICY. END SUMMARY.

3. AFTER REVIEWING REPORTS OF DEMARCHES MADE IN SAUDI ARABIA, JORDAN AND ELSEWHERE, A COMMON THEME THAT HAS DEVELOPED IS THAT THE MODERATE ARABS AND OTHERS ARE LOOKING FOR SOMETHING MORE SUBSTANTIVE THAN THE STRATEGY OUTLINED IN REF (A) FOR THE JANUARY 5 SECURITY COUNCIL MEETING ON THE GOLAN ISSUE. IT IS ALSO APPARENT FROM OUR DISCUSSIONS WITH THE SYRIANS AND OTHERS THAT IN THE ABSENCE OF ANY ALTERNATIVE SUGGESTIONS, THE SARG WILL PRESENT A RESOLUTION CALLING FOR CHAPTER VII SANCTIONS AGAINST ISRAEL BECAUSE OF ITS NON-COMPLIANCE WITH UNSC RESOLUTION 497.

4. IN THE CURRENT CIRCUMSTANCES, IT APPEARS THE BEST THAT WE CAN HOPE FOR IS TO OBTAIN A PROCEDURAL MAJORITY ON THE SECURITY COUNCIL AGAINST IMPOSITION OF SANCTIONS, THEREBY TECHNICALLY AVOIDING A U.S. VETO. AT WORST, WE WILL HAVE TO VETO THE RESOLUTION AND, EVEN IF FRANCE AND THE UK JOIN US IN VOTING AGAINST IT, IT WILL BE THE USG WHICH WILL HAVE TO PAY THE PRICE IN TERMS OF OUR POSITION IN THE REGION. IT IS DIFFICULT AT THIS POINT TO FORESEE PRECISELY THE RAMIFICATIONS OF THIS NO WINNERS-ALL LOSERS OUTCOME. HOWEVER, ISRAEL WILL BE WIDELY PERCEIVED TO HAVE GOTTEN AWAY WITH THE CREATION OF ANOTHER FACT--A RATHER LARGE AND IMPORTANT ONE--AND THE U.S. WILL BE SEEN AS HAVING ACQUIESCED IN THE ISRAELI ACT. THIS CANNOT HELP BUT HAVE A DESTABILIZING EFFECT UPON AN ALREADY TENSE REGIONAL SITUATION. WHILE WE DO NOT BELIEVE THAT

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SYRIA WOULD RESORT TO HOSTILITIES, WE ALSO WOULD NOT RULE OUT THE POSSIBILITY OF PRECIPITATE ACTS WHICH COULD ESCALATE THE SITUATION. WHILE ASSAD IS ENOUGH OF A PRAGMATIST NOT TO INITIATE A WAR, WE ALSO THINK HE WOULD NOT BACK AWAY FROM ONE IF THE ONLY ALTERNATIVE WERE A HUMILIATING RETREAT. DIPLOMATIC RETALIATION, OF COURSE, IS ANOTHER SYRIAN OPTION.

5. WE HAVE ARGUED THROUGHOUT THIS CRISIS THAT WHAT IS INVOLVED IS THE PRINCIPLE OF PEACE FOR TERRITORY AND THE NEED TO KEEP THE DOOR OPEN TO AN EVENTUAL NEGOTIATING PROCESS LEADING TO A COMPREHENSIVE PEACE SETTLEMENT. THIS LATTER POINT HAS BEEN THE BASIC THRUST OF U.S. MIDDLE EAST POLICY SINCE 1967. WHETHER WE LIKE IT OR NOT, THERE CAN BE NO OVERALL SETTLEMENT WITHOUT SYRIAN PARTICIPATION AND AGREEMENT. IN THIS REGARD, ISRAEL HAS A STRONG POINT WHEN IT CHARGES SYRIA WITH BEING AMONG THE MOST INTRANSIGENT OF THE ARAB STATES WHEN IT COMES TO ACCEPTING THE CONCEPT OF NEGOTIATIONS AND UNEQUIVOCAL ACCEPTANCE OF ISRAEL'S RIGHT TO EXIST WITHIN INTERNATIONALLY RECOGNIZED BORDERS.

6. AT THE SAME TIME, HOWEVER, WE MUST RECOGNIZE THAT ISRAEL ALSO BEARS CERTAIN RESPONSIBILITY FOR ENGENDERING AN ATMOSPHERE IN WHICH INTRANSIGENCE IS EXDISE THE RULE RATHER THAN MODERATION AND FLEXIBILITY. ON THE ONE HAND, WE HAVE THE GOLI'S MESSAGE OF DECEMBER 30 TO THE UN SECRETARY GENERAL PLEDGING THAT IT IS WILLING TO NEGOTIATE UNCONDITIONALLY WITH SYRIA FOR A LASTING PEACE ON THE BASIS OF UNSC RESOLUTIONS 242 AND 338 (STATE 343704). YET, ON THE OTHER HAND, WE SEE ISRAELI FOREIGN MINISTER SHAMIR STATING CLEARLY AND UNEQUIVOCALLY ON THE SAME DAY THAT ISRAEL WANTS PEACE, BUT ONLY ON THE CONDITION THAT THE GOLAN AND THE WEST BANK REMAIN WITHIN THE BOUNDARIES OF ERETZ ISRAEL (TEL AVIV 19974).

7. IT THEREFORE SEEMS TO US THAT WE SHOULD TAKE ONE MORE HARD LOOK AT WHAT ADMITTEDLY SEEMS TO BE AN INTRACTABLE SITUATION AND TRY TO DEVELOP A FORMULA IN WHICH THE GOOD INTENTIONS OF BOTH SIDES--ISRAEL AND SYRIA--ARE CLEARLY DEMONSTRATED BY CONCRETE ACTIONS. WHAT WE SUGGEST FOR

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CONSIDERATION IS AN APPROACH TO BOTH SYRIA AND ISRAEL  
BASED ON THE FOLLOWING FORMULATIONS: THE U.S. WILL PRESS  
HARD FOR AN ISRAELI REVISION OF THE GOLAN LEGISLATION  
WITH THE MOU ON STRATEGIC COOPERATION TO REMAIN SUSPENDED  
UNTIL THIS IS ACCOMPLISHED. IN RETURN, SYRIA WOULD  
(A) ABANDON A CALL FOR SANCTIONS, AGREEING INSTEAD TO A  
RESOLUTION CONTAINING A SHARP CONDEMNATION OF THE ISRAELI  
ACT AND CALLING UPON ALL STATES NOT TO GIVE ANY LEGAL  
EFFECT TO THE ISRAELI ACTION; AND (B) AGREE IN PRINCIPLE  
TO NEGOTIATIONS WITH ISRAEL BASED ON RESOLUTIONS 242  
AND 338 UPON REVISION OF THE GOLAN LAW.

8. HERETOFORE, FOR WHATEVER REASON, WE HAVE AVOIDED  
PUTTING THE GOLAN LAW, WHICH CAUSED ALL THIS RUCKUS, AT  
THE CENTER OF OUR STRATEGY. WHY NOT, SINCE IT IS THE  
CENTRAL ISSUE WE ARE ADDRESSING. IT IS AN APPROACH WHICH  
IS BALANCED, REQUIRES POSITIVE ACTS BY BOTH PARTIES AND  
PUTS THE USG UNEQUIVOCALLY IN THE POSITION OF SUPPORTING  
OUR TRADITIONAL POLICY.

9. WE WOULD APPRECIATE ADDRESSEES' COMMENTING ON THIS  
SUGGESTED APPROACH. PAGANELLI

END OF MESSAGE

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